

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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03-MDL-1570 (GBD)(SN)

In Re:

TERROR ATTACKS ON  
SEPTEMBER 11, 2001

**IRAN NOTICE  
OF AMENDMENT**

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This document relates to:

*Ashton, et al. v. al Qaeda Islamic Army, et al.*, Case No. 02-cv-6977 (GBD)(SN)  
*Bauer, et al. v. al Qaeda Islamic Army, et al.*, Case No. 02-cv-7236 (GBD)(SN)  
*York, et al. v. al Qaeda Islamic Army, et al.*, Case No. 03-cv-5493 (GBD)(SN)

Plaintiffs file this Notice of Amendment with respect to the underlying Complaint in the above-referenced matter, ECF No. 3237, as permitted and approved by the Court's Order of July 10, 2018, ECF No. 4045. Upon the filing of this Notice of Amendment, the underlying Complaint is deemed amended to add the individual(s) listed below (the "New Plaintiff(s)") as plaintiff(s) raising claims against the Islamic Republic of Iran. The underlying Complaint is deemed amended to include the allegations, as indicated below, of (a) the Federal Insurance and Ashton Plaintiffs' Amended Consolidated Complaint Against Defendant, the Islamic Republic of Iran, ECF No. 3237, or (b) the Amended Complaint, Burnett v. Islamic Republic of Iran, No. 15-CV-9903 (GBD)(SN) (S.D.N.Y. Feb. 8, 2016), ECF No. 53. The amendment effected through this Notice of Amendment supplements by incorporation into, but does not displace, the underlying Complaint. This Notice of Amendment relates solely to the Islamic Republic of Iran and does not apply to any other defendant.

Upon filing this Iran Notice of Amendment, each New Plaintiff is deemed to have adopted all factual and jurisdictional allegations of the complaint that has been joined as specified below; all causes of action contained within that complaint; all prior filings in

connection with that complaint; and all prior Orders and rulings of the Court in connection with that complaint.

Additionally, each New Plaintiff incorporates the factual allegations and findings contained in those pleadings and orders filed at Havlish v. Bin Laden, No. 1:03-CV-9848 (GBD)(SN) (S.D.N.Y.), ECF Nos. 263, 294, 295; In re Terrorist Attacks on September 11, 2001, 03-MDL-1570 (GBD)(SN) (S.D.N.Y.), ECF Nos. 2430, 2431, 2432, 2433, 2473, 2515, 2516; and evidence submitted at the proceedings before the Honorable George B. Daniels on December 15, 2011 (ECF No. 2540).

### CAUSES OF ACTION

Each New Plaintiff hereby adopts and incorporates herein by reference all factual allegations, jurisdictional allegations, and jury trial demand, including all causes of action against Iran, as set forth in the following complaint [**check only one complaint**]:

- ☒ Federal Insurance and Ashton Plaintiffs' Amended Consolidated Complaint Against Defendant, the Islamic Republic of Iran, ECF No. 3237
- ☐ Amended Complaint, Burnett v. Islamic Republic of Iran, No. 15-CV-9903 (GBD)(SN) (S.D.N.Y. Feb. 8, 2016), ECF No. 53

### IDENTIFICATION OF NEW PLAINTIFFS

Each New Plaintiff is or was a survivor of a person who died due to the terrorist attacks of September 11, 2001. For each New Plaintiff, the following chart lists the New Plaintiff's name, the New Plaintiff's residency and nationality, the name of the New Plaintiff's deceased family member, the New Plaintiff's relationship to the decedent, and the paragraph(s) of the underlying Complaint discussing the decedent and/or the decedent's estate.

	<b>New Plaintiff's Name (alphabetical by last name)</b>	<b>New Plaintiff's State of Residency at Filing (or death)</b>	<b>New Plaintiff's Citizenship/Nationality on 9/11/2001</b>	<b>9/11 Decedent's Name</b>	<b>New Plaintiff's Relationship to 9/11 Decedent</b>	<b>Paragraphs of Complaint Discussing 9/11 Decedent</b>
1	Smith, Elizabeth	New York	U.S. Citizen	Daniel L. Smith	Daughter	<i>Ashton</i> 5 <sup>th</sup> Amended <sup>1</sup>
2	Smith, Mary	New York	U.S. Citizen	Daniel L. Smith	Wife	<i>Ashton</i> 5 <sup>th</sup> Amended
3	Smith, McCarthy	New York	U.S. Citizen	Daniel L. Smith	Brother	<i>Ashton</i> 5 <sup>th</sup> Amended
4	Smith, Michael	New York	U.S. Citizen	Daniel L. Smith	Son	<i>Ashton</i> 5 <sup>th</sup> Amended
5	Smith, Sean P.	Texas	U.S. Citizen	Daniel L. Smith	Brother	<i>Ashton</i> 5 <sup>th</sup> Amended
6	Speller, Valerie	Connecticut	U.S. Citizen	John A. Candela	Sister	<i>Bauer</i> action <sup>2</sup> Paragraph 9
7	Spordone, Dayna	New York	U.S. Citizen	Milton Bustillo	Step-Daughter	<i>Bauer</i> action Paragraph 29
8	Spordone-Bustillo, Laura	New York	U.S. Citizen	Milton Bustillo	Wife	<i>Bauer</i> action Paragraph 29
9	Stang, Barbara	New Jersey	U.S. Citizen	Ronald E. Orsini	Sister	<i>Bauer</i> action Paragraph 17
10	Stover, Catherine A.	New Jersey	U.S. Citizen	Jean H. Peterson	Daughter	<i>Bauer</i> action Paragraph 34
11	Strong, Elsa G.	New York	U.S. Citizen	Linda K. Gronlund	Sister	<i>Bauer</i> action Paragraph 38

<sup>1</sup> Smith Plaintiff was added to *Ashton* 5<sup>th</sup> Amended Consolidated Master Complaint filed on 09/02/2004, page 4, ECF No. 447.

<sup>2</sup> *Bauer, et al. v. al Qaeda Islamic Army, et al.*, Case No. 02-cv-7236 (GBD)(SN), herein referred to as *Bauer* action, was consolidated into the *Ashton* action in the *Ashton* First Amended Consolidated Master Complaint filed on 08/01/2003, ECF No. 32.

12	Tanner, Giana	New Jersey	U.S. Citizen	Michael Tanner	Daughter	<i>Bauer</i> action Paragraph 25
13	Tanner, Kenneth C.	Florida	U.S. Citizen	Michael Tanner	Brother	<i>Bauer</i> action Paragraph 25
14	Tanner, Est. of Mary	New Jersey	U.S. Citizen	Michael Tanner	Mother	<i>Bauer</i> action Paragraph 25
15	Tanner, Michele	New Jersey	U.S. Citizen	Michael Tanner	Wife	<i>Bauer</i> action Paragraph 25
16	Tanner-D'Ambrosio, Nicole	New Jersey	U.S. Citizen	Michael Tanner	Sister	<i>Bauer</i> action Paragraph 25
17	Tanz, Holly A.	New York	U.S. Citizen	Howard Kane	Sister	<i>Bauer</i> action Paragraph 53
18	Tarantino, Jason J.	New Jersey	U.S. Citizen	Kenneth Joseph Tarantino	Son	<i>York</i> action <sup>3</sup> Paragraph 6
19	Tarantino, Jennifer	New Jersey	U.S. Citizen	Kenneth Joseph Tarantino	Wife	<i>York</i> action Paragraph 6
20	Tarantino, Kenneth James	New Jersey	U.S. Citizen	Kenneth Joseph Tarantino	Son	<i>York</i> action Paragraph 6
21	Torres, Lisa	Arizona	U.S. Citizen	Edward Carlino	Daughter	<i>Bauer</i> action Paragraph 26
22	Vasel, Amy	New Jersey	U.S. Citizen	Scott Vasel	Wife	<i>Bauer</i> action Paragraph 14
23	Vasel, Est. of Charles	New Jersey	U.S. Citizen	Scott Vasel	Father	<i>Bauer</i> action Paragraph 14
24	Vasel, Matthew J.	New Jersey	U.S. Citizen	Scott Vasel	Son	<i>Bauer</i> action Paragraph 14
25	Vasel, Est. of Mynda	New Jersey	U.S. Citizen	Scott Vasel	Mother	<i>Bauer</i> action Paragraph 14

Dated: December 2, 2021

Respectfully submitted,

BAUMEISTER & SAMUELS, P.C.

/s/ Dorothea M. Capone  
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<sup>3</sup> *York, et al. v. al Qaeda Islamic Army, et al.*, Case No. 03-cv-5493 (GBD)(SN), herein referred to as *York* action, was consolidated into the *Ashton* action in the *Ashton* First Amended Consolidated Master Complaint filed on 08/01/2003, ECF No. 32.